

Housing of the Working Classes (Ireland) Bill.

[AS AMENDED BY STANDING COMMITTEE D.]

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B I L L

[AS AMENDED BY STANDING COMMITTEE D]

TO

Amend the enactments relating to the Housing of the Working Classes and the acquisition of Small Dwellings in Ireland. A.D. 1919.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

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PART I.

HOUSING OF THE WORKING CLASSES.

Housing Scheme.

- 1.—(1) Part III. of the Housing of the Working Classes Act, 1890 (in this Act referred to as the Act of 1890), shall, after the commencement of this Act, extend to, and take effect in, every urban district or town in Ireland for which it has not been adopted as if it had been so adopted, and it shall be the duty of the local authority of every such urban district or town for the purposes of Part III. of the Act of 1890 to consider the needs of the district or town with respect to the provision of houses for the working classes, and within three months after the passing of this Act, and thereafter as often as occasion arises, to prepare and submit to the Local Government Board a scheme for the exercise of their powers under the said Part III.

Application of Part III. of the Act of 1890 without adoption. 53 & 54 Vict. c. 70.

(2) A scheme under this section shall specify—

- (a) the approximate number and the nature of the houses to be provided by the local authority;

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- (b) the approximate quantity of land to be acquired and the localities in which land is to be acquired;
- (c) the average number of houses per acre;
- (d) the time within which the scheme or any part thereof is to be carried into effect;

and the scheme may contain such incidental, consequential, and supplemental provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purpose of the scheme.

(3) The Local Government Board may approve any such scheme or any part thereof without modification or subject to such modifications as they may think fit, and the scheme or part thereof when so approved shall be binding on the local authority; but if the Board consider the scheme inadequate they may refuse to approve the scheme and require the authority to prepare and submit to them an adequate scheme within such time as they may fix, or they may approve the scheme subject to the condition that the authority prepare and submit to them a further scheme within such time as they may fix.

(4) If the Local Government Board consider as respects any local authority that an occasion for the preparation of a new scheme has arisen they shall give notice to that effect to the local authority, and thereupon such an occasion shall be deemed to have arisen.

(5) Where the local authorities concerned or the Local Government Board are of opinion that a scheme should be made affecting the areas of two or more local authorities, such a scheme shall be prepared by the local authorities jointly and may provide for joint action being taken by those local authorities and for the apportionment amongst the authorities of any expenses incurred in carrying the scheme into effect.

(6) Local authorities in preparing, and the Local Government Board in approving, schemes shall have regard to any proposals by other bodies and persons to provide housing accommodation.

(7) Where any proposals as to the provision of houses for the working classes have before the passing of this Act been submitted to the Local Government Board by a local authority and those proposals have been approved by the Board, either before or after the passing of this Act, the proposals may if

the Board so direct be treated, for any of the purposes of this Act, as if they were a scheme submitted and approved under this section. A.D. 1919.

2. It shall be the duty of a local authority on which obligations are imposed by any such scheme to carry that scheme into effect within such time as may be specified in the scheme, or within such further time as may be allowed by the Local Government Board. Duty of local authority to carry out schemes.

3.—(1) Where the Local Government Board are satisfied that a local authority, or, in cases where a joint scheme has been or in the opinion of the Board should be prepared, the local authorities concerned have failed to fulfil their obligations as to the preparation of schemes under this Act or their obligations under any such schemes, the Board may, after considering the circumstances of the case, and after giving the local authority or authorities an opportunity of being heard, themselves prepare and carry out a scheme or take such steps as may be necessary to carry out any scheme prepared by the local authority or by two or more local authorities jointly, and shall for that purpose have all the powers of a local authority under the Housing Acts and those Acts shall, with the necessary modifications and adaptations, apply accordingly. Power of Local Government Board to act in place of the local authority.

(2) Any expenses incurred by the Board in the exercise of such powers as aforesaid shall in the first instance be paid out of moneys provided by Parliament, but the amount certified by the Board to have been so expended, and to be properly payable by a local authority, shall on demand be paid to the Board by the local authority and shall be recoverable as a debt due to the Crown, and the sum so payable to the Board shall be a purpose for which the local authority may borrow under the Act of 1890.

4. Without prejudice to any other powers for enforcing the provisions of the Housing Acts, where the Local Government Board are satisfied that any area within the district of a local authority is an area in respect of which the local authority ought to exercise their powers under Part I. or Part II. of the Act of 1890, the Board may by order require the local authority to make a scheme for the improvement of such area, either under Part I. or under Part II. of that Act, and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and if the local authority fail within such

A.D. 1919. — time as may be prescribed by the order to make a scheme to the satisfaction of the Local Government Board, and to carry the scheme into execution, the Board may themselves make and take such steps as may be necessary to carry out a scheme, and the provisions of the last preceding section of this Act shall apply. 5

Financial Provisions.

Power to
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losses.

5.—(1) If it appears to the Local Government Board that the carrying out by a local authority of any scheme approved under section one of this Act or the carrying out of a re- 10 housing scheme in connexion with a scheme made under Part I. or Part II. of the Act of 1890, including the acquisition, clearance, and development of land comprised in the last-mentioned scheme, and whether the rehousing will be effected on the area comprised in that scheme or elsewhere, has resulted 15 or is likely to result in a loss, the Board shall, if the scheme is carried out within such period after the passing of this Act, as may be specified by the Board, with the consent of the Treasury, pay, or undertake to pay, to the local authority out of moneys provided by Parliament such part of the loss as may 20 be determined to be so payable under regulations made by the Board, with the approval of the Treasury, subject to such conditions as may be prescribed by those regulations.

(2) Where a loan is made by the Commissioners of Public Works in Ireland for the purpose of a scheme towards the losses 25 on which the Local Government Board is liable to contribute under this section, the loan shall, notwithstanding anything in section fourteen of the Housing of the Working Classes (Ireland) Act, 1908 (in this Act referred to as the Act of 1908), be made on such terms and conditions as the Treasury may prescribe, and 30 the sums liable to be paid or set apart by any local authority in respect of moneys borrowed by that authority for the purposes of any such scheme shall not be included in the annual housing charge of that authority within the meaning of section five of the Act of 1908. 35

(3) This section shall be deemed to have had effect as from the first day of April nineteen hundred and nineteen.

Provision as to the Acquisition of Land, &c.

Provisions
as to assess-
ment of

6.—(1) Where land included in any scheme made or to be made under Part I. or Part II. of the Act of 1890 (other than 40

land included in such a scheme only for the purpose of making the scheme efficient and not on account of the sanitary condition of the premises thereon or of those premises being dangerous or prejudicial to health) is acquired compulsorily, the compensation to be paid for the land, including any buildings thereon, shall be the value at the time the valuation is made of the land as a site cleared of buildings and available for development in accordance with the requirements of the building byelaws for the time being in force in the district:

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compensation.

Provided that if the scheme requires that provision shall be made for the rehousing of persons of the working classes on the land or part thereof when cleared, or that the land or a part thereof when cleared shall be laid out as an open space, the compensation payable to all persons interested in any land included in the scheme (other than as aforesaid) for their respective interests therein shall be reduced by an amount ascertained in accordance with the rules set forth in the First Schedule to this Act.

(2) The provisions of sections twenty-one and forty-one of the Act of 1890 shall cease to apply as respects lands to which the provisions of this section apply, in so far as such first-mentioned provisions are inconsistent or in conflict with the provisions of this section.

7. Where an order authorising the acquisition of land by a local authority for the purposes of Part III. of the Act of 1890 has been made and confirmed under the provisions of section six of the Act of 1908, then at any time after the notice of the appointment of the arbitrator has been published the local authority may, on giving not less than fourteen days' notice to the owner and occupier of the land, enter on and take possession of the land without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses (Consolidation) Act, 1845, or any similar enactment, but subject to the payment of the like interest on the compensation awarded.

Power of entry on land compulsorily acquired.

8.—(1) The powers of a local authority to acquire land for the purposes of Part III. of the Act of 1890 shall be deemed to include power—

Additional powers as to acquisition of land and houses.

(a) to acquire any houses or other buildings on the land proposed to be acquired as a site for the erection of houses for the working classes; and

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- (b) to acquire any estate or interest in any houses which might be made suitable as houses for the working classes, together with any lands occupied with such houses;

and the local authority shall have power to alter, enlarge, repair, 5 and improve any such houses or buildings so as to render them in all respects fit for habitation as houses for the working classes.

(2) The purposes for which land may be acquired under Part III. of the Act of 1890 shall be deemed to include— 10

- (i) the lease or sale of the land, under the powers conferred by this Act, with a view to the erection thereon of houses for the working classes by persons other than the local authority; and
- (ii) the lease or sale under the powers conferred by this 15 Act of any part of the land acquired with a view to the use thereof for purposes which in the opinion of the local authority are necessary or desirable for or incidental to the development of the land as a building estate, including the provision, maintenance, 20 and improvement of houses and gardens and other works or buildings for, or for the convenience of, persons belonging to the working classes and other persons.

(3) Subject to the consent of the Local Government Board 25 and to such conditions as the Board may prescribe, a local authority may for the purposes of Part III. of the Act of 1890 contract for the purchase or lease of houses suitable for the working classes, whether built at the date of the contract or intended to be built thereafter. 30

Power to acquire in advance lands in areas proposed for inclusion in improvement schemes under Parts I. and II. of Act of 1890.

9. Where a local authority have under section four of the Act of 1890 passed a resolution that an area is an unhealthy area and that an improvement scheme ought to be made in respect of such area, or have under section thirty-nine of the Act of 1890 passed a resolution directing a scheme to be 35 prepared for the improvement of an area, the local authority may, with the consent of and subject to any conditions imposed by the Local Government Board, acquire by agreement any lands included within the area notwithstanding that the scheme may not at the time of acquisition have been made by the 40

local authority or confirmed or sanctioned by the Local Government Board; and the acquisition of such lands shall be deemed to be a purpose for which the local authority may borrow money under and subject to the provisions of Part I. or, as the case may be, Part II. of the Act of 1890.

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10.—(1) Where a local authority have acquired or appropriated any land for the purposes of Part III. of the Act of 1890, then, without prejudice to any of their other powers under that Act, the authority may—

Powers of dealing with land acquired.

- (a) lay out and construct public streets or roads and open spaces on the land;
- (b) with the consent of the Local Government Board, sell or lease the land or part thereof to any person for the purpose and under the condition that that person will erect and maintain thereon such number of houses suitable for the working classes as may be fixed by the local authority in accordance with plans approved by them and, when necessary, will lay out and construct public streets or roads and open spaces on the land or will use the land for purposes which, in the opinion of the local authority, are necessary or desirable for or incidental to the development of the land as a building estate in accordance with plans approved by the local authority, including the provision, maintenance, and improvement of houses and gardens and other works or buildings for or for the convenience of persons belonging to the working classes and other persons;
- (c) with the consent of the Local Government Board, sell the land or exchange it for land better adapted for those purposes, either with or without paying or receiving any money for equality of exchange;
- (d) with the consent of the Local Government Board, sell or lease any houses on the land or erected by them on the land, subject to such covenants and conditions as they may think fit to impose either in regard to the maintenance of the houses as houses for the working classes or otherwise in regard to the use of the houses, and upon any such sale they may, if they think fit, agree to the price being paid by instalments or to the payment of part thereof being secured by a mortgage of the premises:

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Provided that it shall be a condition of such sale or lease that the houses shall not be used by any person for the time being having any interest therein for the purpose of housing persons in his employment.

(2) Where a local authority under this section sell or lease 5 land, subject to any condition as to the erection thereon of houses, or the laying out and construction of streets, or the development of the land, there shall be included in the conveyance or lease all such covenants and conditions as may be necessary to secure compliance with the conditions aforesaid 10 within a reasonable period, and to limit the amount of the rent which may be charged in respect of the lands or any part thereof, or in respect of the houses erected thereon, and the local authority may contribute, or agree to contribute, towards the expenses of the development of the land and the 15 laying out and construction of streets thereon, subject to the condition that the streets are dedicated to the public.

(3) Land and houses sold or leased under the provisions of this section shall be sold or leased at the best price or for the best rent that can reasonably be obtained, having regard 20 to any condition imposed, and any capital money received in respect of any transaction under this section shall be applied in or towards the purchase of other land for the purposes of Part III. of the Act of 1890, or, with the consent of the Local Government Board, to any purpose, including the repayment 25 of borrowed money, to which capital money may be properly applied.

Occupation of house erected by local authority not to disqualify for election to local authority.

11. For removing doubts it is hereby enacted that a person shall not by reason only of the fact that he occupies a house at a rental from the local authority be disqualified from being 30 elected or being a member of the local authority or of any committee of the local authority.

Provision of Houses by Public Utility Societies and Housing Trusts.

Powers of promoting and assisting public utility societies.

12.—(1) A local authority within the meaning of Part III. 35 of the Act of 1890 may promote the formation or extension of, or, subject to the provisions of this section, assist a public utility society, whose objects include the erection, improvement, or management of houses for the working classes.

(2) Any such local authority, with the consent of, and 40 subject to any regulations or conditions which may be made or

imposed by the Local Government Board may, for the assistance of such a society— A.D. 1919.

- (a) make grants or loans to the society;
- (b) subscribe for any share or loan capital of the society;
- (c) guarantee or join in guaranteeing the payment of interest on money borrowed by the society or of any share or loan capital issued by the society;

on such terms and conditions as to rate of interest and repayment or otherwise and on such security as the local authority or council think fit, and notwithstanding the provisions of section four of the Industrial and Provident Societies Act, 1893, where a local authority assists such a society under this subsection the local authority shall not be prevented from having or claiming an interest in the shares of the society exceeding two hundred pounds.

(3) Any expenses incurred by a local authority under the provisions of this section shall be defrayed in the same manner as the expenses of the local authority under Part III. of the Act of 1890, and the raising of money for the purpose of making grants or loans to or subscribing for the capital of a society under this section shall be a purpose for which the authority may borrow under that Part of that Act.

13.—(1) Where a public utility society or a housing trust, as defined by this Act, has submitted to the Local Government Board a scheme for the provision of houses for the working classes and the scheme is approved by the Board, then, if the scheme is carried out within such period, after the passing of this Act, as may be specified by the Board, with the consent of the Treasury, the Board may pay or undertake to pay out of moneys provided by Parliament such contributions towards the cost of carrying out the scheme as may be determined to be payable under regulations made by the Board, with the approval of the Treasury, subject to such conditions (including conditions as to audit of accounts by auditors of poor law unions) as may be prescribed by those regulations.

Power of contributing to costs incurred by public utility societies and housing trusts.

(2) Such regulations shall provide that the amount of any annual payment to be made under this section shall be equivalent to thirty per cent. of the annual loan charges which would have been payable in accordance with the regulations on the total capital expenditure incurred by the public utility

A.D. 1919. society or housing trust for the purposes of the scheme if the amount of that expenditure had been borrowed from the Commissioners of Public Works in Ireland :

Provided that the regulations shall include provision for the reduction of the amount of the annual payment in the event of the Local Government Board being satisfied that the capital expenditure incurred by the public utility society or housing trust has been excessive.

Every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and if an Address is presented by either House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Loans to
public utility
societies.

14.—(1) The purposes referred to in subsection (1) of section sixty-seven of the Act of 1890 for which the Commissioners of Public Works in Ireland acting with the consent of the Treasury may advance money on loan shall extend to the purchase of houses which may be made suitable as houses for the working classes and to the purchase and development of land by a public utility society.

(2) Notwithstanding anything contained in the Public Works Loans Act, 1875, or any Act amending that Act, where a loan is made by the said Commissioners under section sixty-seven of the Act of 1890 to a public utility society for the purpose of carrying out a scheme for the provision of houses for the working classes approved by the Local Government Board :—

- (a) The maximum period for the repayment of the loan shall be fifty instead of forty years :
- (b) Money may be lent on the mortgage of an estate for a term of years absolute whereof a period not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan :
- (c) During such period as may be specified by the Board, with the consent of the Treasury, the money advanced on the security of a mortgage of any land or dwellings solely shall not exceed seventy-five per cent. of the purchase price of the land and of the cost of its

development and of the houses proposed to be mortgaged as certified by the Local Government Board; but advances may be made by instalments in respect of the purchase money of the land to be acquired, and the cost of its development, and in respect of the building of any house or houses on the land mortgaged as such building progresses, so that the total of the advances do not at any time exceed the amount aforesaid; and a mortgage may accordingly be made to secure advances so to be made from time to time.

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15. During a period of two years from the passing of this Act, the money which may be advanced by the Commissioners of Public Works in Ireland to any private person for the purpose of constructing houses for the working classes on the security of a mortgage of any land or dwellings solely may, if the Commissioners think fit, and if the houses are constructed in accordance with plans approved by the Local Government Board, exceed the amount specified in subsection (2) of section sixty-seven of the Act of 1890, but shall not exceed seventy-five per cent. of the value of the estate or interest in such land or dwellings proposed to be mortgaged, and advances may be made by instalments from time to time as the building of the houses on the land mortgaged progresses, so that the total of the advances do not at any time exceed the amount last mentioned, and a mortgage may accordingly be made to secure advances so to be made from time to time.

Loans to
private persons.

16.—(1) Where the owner of a house or building applies to the local authority for assistance for the purpose of carrying out works for the reconstruction, enlargement, or improvement thereof, and the local authority of the district in which the house is situated are of opinion that after the works are carried out the house or building would be in all respects fit for habitation as a house or as houses of the working classes, and that the circumstances of the district in regard to housing accommodation are such as to make it desirable that the works should be carried out, the local authority may, with the consent of the Local Government Board, lend to the owner the whole or any part of such sum as may be necessary to defray the cost of the works, and any costs, charges, or expenses incidental thereto:

Loans by
local authorities for the
improvement
of housing
accommodation.

Provided that the loan shall not exceed one-half of the estimated value of the property mortgaged, unless some additional or collateral security is given sufficient to secure the excess.

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(2) Before the works are commenced, full particulars of the works and, where required by the local authority, plans and specifications thereof shall be submitted to the local authority for their approval, and before any loan is made the authority shall satisfy themselves that the works in respect of which the loan is to be made have been carried out in a satisfactory and efficient manner.

(3) The raising of money for the purpose of making a loan under this section shall be a purpose for which the local authority may borrow for the purposes of Part III. of the Act 19 of 1890.

(4) For the purpose of this section "owner" means any person whose interest, or any number of persons whose combined interests, constitute either an estate in fee simple (including fee farm) in possession or a leasehold interest in possession for a term of years absolute whereof a period of not less than ten years in excess of the period fixed for the repayment of the loan remains unexpired at the date of the loan.

Byelaws.

Relaxation
of byelaws.

17.—(1) Where in pursuance of a housing scheme to which this section applies new buildings are constructed, or public streets and roads are laid out and constructed in accordance with plans approved by the Local Government Board, the provisions of any building byelaws shall not apply to the new buildings and new streets carried out in pursuance of the scheme so far as those provisions are inconsistent with the plans and specifications approved by the Local Government Board, and notwithstanding the provisions of any other Act any street laid out and constructed in accordance with such plans and specifications may be taken over and thereafter maintained by the local authority.

(2) Where the Local Government Board have approved plans and specifications which in certain respects are inconsistent with the provisions of any building byelaws which are in force in the district in which the works are to be executed any proposals for the erection therein of houses and the laying out and construction of new streets which do not form part of a housing scheme to which this section applies, may, notwithstanding those provisions, be carried out if the local authority are satisfied that they will involve departures from such provisions only to the like extent as in the case of the plans and specifications so approved, and that where such plans and specifications have been approved subject to any conditions the like

conditions will be complied with in the case of proposals to which this subsection applies. A.D. 1919.

(3) The housing schemes to which this section applies are schemes made by a local authority under the Housing Acts, or by a public utility society, or housing trust, and approved by the Local Government Board, and schemes carried out by that Board under this Act.

18.—(1) The local authority of every urban district or town for the purposes of Part III. of the Act of 1890 shall, without any declaration by the Local Government Board, have power to make and enforce byelaws for the matters specified in section one hundred of the Public Health (Ireland) Act, 1878, and that power shall, in the case of houses intended or used for occupation by the working classes, be deemed to include the making and enforcing of byelaws—

Byelaws respecting lodging-houses and houses divided into separate tenements.

(a) for fixing, and from time to time varying, the number of persons who may occupy a house, or part of a house, which is let in lodgings or occupied by members of more than one family, and for separation of the sexes therein;

(b) for the registration and inspection of such houses;

(c) for enforcing drainage and promoting cleanliness and ventilation of such houses;

(d) for requiring provision adequate for the use of, and readily accessible to, each family of—

(i) closet accommodation;

(ii) water supply and washing accommodation;

(iii) accommodation for the storage, preparation, and cooking of food;

and where necessary for securing separate accommodation as aforesaid for every part of such house which is occupied as a separate dwelling;

(e) for the keeping in repair and adequate lighting of any common staircase in such house;

(f) for securing stability and the prevention of and safety from fire;

(g) for the cleansing and redecoration of the premises at stated times, and for the paving of the courts and courtyards;

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- (h) for the provision of handrails where necessary for all staircases of such houses;
- (i) for securing the adequate lighting of every room in such houses;

and any such byelaws, in addition to any other penalty, may prohibit the letting for occupation by members of more than one family of any such house unless the same are complied with, subject in the case of houses so let or occupied at the time when such byelaws come into force to the allowance of a reasonable time for the execution of any works necessary to 10 comply therewith.

(2) Such byelaws may impose the duty of executing any work required to comply therewith upon the owner within the meaning of the Public Health (Ireland) Act, 1878, of any such house, or upon any other person having an interest in the 15 premises, and may prescribe the circumstances and conditions in and subject to which any such duty is to be discharged.

(3) For the purpose of discharging any duty so imposed the owner or other person may at all reasonable times enter upon any part of the premises, and section fifty-one of the Act 20 of 1890 shall apply as if for the reference to the provisions of Part II. of that Act there were substituted a reference to the provisions of such byelaws, and as if the person on whom such duty is imposed were the owner, and any inmate of the premises were the occupier of a dwelling-house. 25

(4) Where an owner or other person has failed to execute any work which he has been required to execute under the byelaws the local authority by whom such byelaws are enforced may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs 30 and expenses incurred by them in so doing from the owner or other person as a civil debt in manner provided by the Summary Jurisdiction Acts, or, if they think fit, the local authority may, by order, declare any such expenses to be payable by annual instalments within a period not exceeding that of the interest 35 of the owner or other person in the premises, nor in any case five years, with interest at a rate not exceeding five per centum per annum, until the whole amount is paid, and any such instalment or interest or any part thereof may be recovered from the owner or other person as a civil debt in manner 40 provided by the Summary Jurisdiction Acts.

(5) If in the opinion of the Local Government Board premises are being occupied by members of more than one family, or are intended to be converted for such occupation, in any urban district or town, and either no byelaws have been made by the local authority under this section, or the byelaws made are not sufficient properly to regulate such occupation or conversion, the Local Government Board may themselves make byelaws under this section which shall have effect and shall be enforced as if they had been made by the local authority.

(6) Where the person on whom obligations are imposed by any byelaws made for the purposes specified in subsection (1) of this section with respect to houses so occupied as aforesaid holds the premises under a lease or agreement and satisfies the local authority that compliance with such byelaws is contrary to the provisions of the lease or agreement, or that the whole or any part of the expenses of carrying out the obligations ought to be borne by his lessor or other superior landlord, the local authority may, after giving the lessor or any such superior landlord an opportunity of being heard—

(a) in the first case, order that the provisions of the lease or agreement be relaxed so far as they are inconsistent with the requirements of the byelaws;

(b) in the second case, grant to the person who carries out the works necessary for compliance with the byelaws, on proof to the satisfaction of the local authority that the works have been properly carried out, a charging order charging on the premises an annuity to repay the expenses properly incurred in carrying out the works or such part of those expenses as the local authority consider ought to be so charged.

(7) The annuity shall be of such amount and extend over such number of years as the local authority may determine, but if either party is dissatisfied with the decision of the local authority the question of the amount and the duration of the annuity shall be determined by an arbitrator appointed by the Local Government Board.

(8) Subsections (3) and (4) of section thirty-six, section thirty-seven, and paragraph (9) of section ninety-eight of the Act of 1890 shall apply to charging orders and annuities under this section in like manner as to annuities and charging orders under the said section thirty-six.

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(9) Where a local authority have themselves acquired a leasehold interest in any house under the powers conferred upon them by this Act, the Local Government Board, on the application of the local authority, may make a similar order with regard to the relaxation of the provisions of the lease and to charging an annuity on the premises as might have been made by the local authority on the application of a person desiring to convert a house as aforesaid, and in that case the decision of the Local Government Board as to the amount and duration of any such annuity shall be final. 10

Consent of local authority to erection and use of buildings.

19.—(1) Notwithstanding the provisions of any building byelaws a local authority may, during a period of three years from the passing of this Act, consent to the erection and use for human habitation of any buildings erected, or proposed to be erected, in accordance with plans approved by the Local Government Board. 15

(2) The local authority may attach to their consent any conditions which they may deem proper with regard to the situation, sanitary arrangements, and protection against fire of such buildings, and may fix, and from time to time extend, the period during which such buildings shall be allowed to be used for human habitation. 20

(3) If any person feels aggrieved by the neglect or refusal of the local authority to give consent or by the conditions on which such consent is given, or as to the period allowed for the use of such buildings for human habitation, he may appeal to the Local Government Board, whose decision shall be final, and shall have effect as if it were the decision of the local authority: Provided that the Board may, before considering any such appeal, require the appellant to deposit such sum, not exceeding ten pounds, to cover the cost of appeal as may be fixed by rules to be made by them. 25

(4) Section twenty-seven of the Public Health Acts Amendment Act, 1907, shall not apply to any buildings to which this section applies. 35

Miscellaneous.

Power to authorise conversion of a house into several tenements.

20. Where it is proved to the satisfaction of the county court on an application in accordance with rules of court by the local authority or the lessee of the house that, owing to changes in the character of the neighbourhood in which such 40

house is situate, the house cannot readily be let as a single tenement but could readily be let for occupation if converted into two or more tenements, and that the provisions of the lease do not admit of such conversion, the court, after giving
 5 any person entitled to any interest in the house an opportunity of being heard, may vary the terms of the lease so as to enable the house to be so converted subject to such conditions and upon such terms as the court may think just.

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21.—(1) If the owner of any house suitable for occupation
 10 by persons of the working classes fails to make and keep such house in all respects reasonably fit for human habitation then, without prejudice to any other powers, the local authority may serve a notice upon the owner of such house requiring him within a reasonable time, not being less than twenty-one days
 15 specified in the notice, to execute such works as may be necessary to make the house in all respects reasonably fit for human habitation.

Repair of houses.

(2) If the notice given by the local authority is not complied with, the authority may, at the expiration of the time
 20 specified in the notice given by them to the owner, do the work required to be done.

(3) Any expense incurred by the local authority under this section may be recovered in a court of summary jurisdiction, together with interest at a rate not exceeding five per cent.
 25 per annum from the date of service of a demand for the same till payment thereof from the owner, and until recovery of such expenses and interest the same shall be a charge on the premises. In all summary proceedings by the local authority for the recovery of any such expenses, the time within which such
 30 proceedings may be taken shall be reckoned from the date of the service of notice of demand.

(4) The local authority may by order declare any such expenses to be payable by monthly or annual instalments within a period not exceeding thirty years, with interest at a rate not
 35 five per cent. per annum, from the date of the service of notice of demand until the whole amount is paid, and any such instalments and interest or any part thereof may be recovered in a summary manner from the owner or occupier and may be deducted from the rent of such premises.

40 (5) The local authority, if they think fit, from time to time (in addition and without prejudice to any other remedy) may

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recover in a court of summary jurisdiction, or as a simple contract debt, by action in any court of competent jurisdiction, from the owner for the time being of any such premises the whole or any portion of such expenses and interest.

(6) In this section "owner" shall have the same meaning as in the Public Health (Ireland) Act, 1878.

(7) This section shall be deemed to be part of Part II. of the Act of 1890.

Power to
authorise
superior
to enter and
execute
works.

22.—(1) Where it is proved to the satisfaction of the court on an application in accordance with rules of court by any person entitled to any interest in any land used in whole or in part as a site for houses for the working classes, that the premises on the land are, or are likely to become, dangerous, or injurious to health, or unfit for human habitation, and that the interests of the applicant are thereby prejudiced, or that the applicant should be entrusted with the carrying out of a scheme of reconstruction or improvement approved by the local authority of the district in which the land is situate, the court may make an order empowering the applicant forthwith to enter on the land and within the time fixed by the order to execute such works as may be necessary, and may order that any lease or agreement for a lease held from the applicant and any derivative underlease shall be determined subject to such conditions and to the payment of such compensation as the court may think just.

(2) The court shall include in its order provisions to secure that the proposed works are carried out, and may authorise the local authority in whose area the land is situated or which has approved a scheme of reconstruction or improvement under this section, to exercise such supervision or take such action as may be necessary for the purpose.

(3) For the purposes of this section "court" means the High Court, and, where the annual value of the land does not exceed thirty pounds, the county court.

Extension
of powers
under
Settled
Land Act,
1882.

23. The powers conferred upon a tenant for life by the Settled Land Acts, 1882 to 1890, shall include the following further powers:—

(a) A power to make a grant in fee simple or absolutely or a lease for any term of years for a nominal price

or rent or for less than the best price or rent which could be obtained for the purpose of the erection thereon of dwellings for the working classes or the provision of gardens to be held in connection therewith:

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Provided that no more than two acres shall be granted as a site for such dwellings or gardens in any one parish in an urban district, or in any one townland in a rural district, without payment of the full price or rent for the excess, except under an order of the court:

- (b) A power, where money is required for the provision of dwellings available for the working classes, to raise the money on mortgage of the settled land, or of any part thereof, by conveyance of the fee simple or other the estate subject to the settlement or by creation of a term of years in the settled land or any part thereof or otherwise, and the money so raised shall be capital money for that purpose, and may be paid or applied accordingly.

24. Nothing in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915, or in the enactments amending that Act shall prevent a local authority from obtaining possession of any house the possession of which is required by them for the purpose of exercising their powers under the Housing Acts or under any scheme made under those Acts.

Provisions of Housing Acts not to be affected by the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.
5 & 6 Geo. 5.
c. 97.

25. On the termination of the tenancy of any premises let by a local authority under the Housing Acts, possession of the premises may (without prejudice to any other method of recovery) be recovered by the local authority in a summary manner under section fifteen of the Summary Jurisdiction (Ireland) Act, 1851, wherever the premises may be situated and whatever may be the rent or term of the tenancy.

Recovery of possession of premises let by a local authority.

26. For the purposes of any proceedings to which section six of the Act of 1908 applies one publication of the advertisements mentioned in section two hundred and three of the Public Health (Ireland) Act, 1878, or section seven of the Act of 1890, as the case may be, shall be sufficient and the notices mentioned in those sections, respectively, may be served at any time after the publication of the advertisements.

Advertisements and notices.

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Extension of
certain
English
housing
enactments
to Ireland.

27.—(1) There shall apply to Ireland so much as the Lord Lieutenant by Order in Council declares applicable of the enactments specified in the Second Schedule to this Act (being enactments relating to the housing of the working classes in England), subject to such adaptations as may be made by the Order for the purpose of carrying into full effect the application of the enactments to Ireland.

(2) Every Order in Council made under this section shall be published in the "Dublin Gazette" and shall be deemed to have been duly made and to be within the powers conferred by 10 this Act, and no objection to the validity thereof shall be taken in any proceedings.

Procedure
and minor
amendments
of Housing
Acts.

28. The amendments specified in the second column of the Third Schedule to this Act (which relate to procedure under Part I. and Part II. of the Act of 1890 and to minor 15 details) shall be made in the provisions of the Act of 1890 specified in the first column of that schedule.

Rules of the
Local Government
Board.

29. The Local Government Board may make rules for carrying the Housing Acts into effect and in particular for prescribing the duties, conditions of employment, and qualifica- 20 tions of officers and other persons employed by local authorities in the execution of those Acts.

Construc-
tion.

30. This Part of this Act shall be construed as one with the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, and any provisions of this Part of this Act which super- 25 sede or amend any provisions of the Act of 1890 shall be deemed to be part of that Part of the Act of 1890 in which the provisions superseded or amended are contained, and references in this Part of this Act to any provision of the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, shall be construed 30 as references to that provision as amended by any subsequent enactment including this Part of this Act.

In this Part of this Act—

The expression "houses for the working classes" has the same meaning as the expression "lodging-houses for 35 the working classes" has in the Act of 1890;

The expression "sell" includes the power to sell in consideration of an annual rentcharge or fee farm rent, and the expression "sale" has a corresponding meaning.

The expression "public utility society" means a society registered under the Industrial and Provident Societies Act, 1893, or any amendment thereof, the rules whereof prohibit the payment of any interest or dividend at a rate exceeding six per cent. per annum;

The expression "housing trust" means a corporation or body of persons which, by the terms of its constituent instrument, is required to devote the whole of its funds, including any surplus which may arise from its operations, to the provision of houses for persons, the majority of whom are, in fact, members of the working classes, and to other purposes incidental thereto;

The expression "building byelaws" includes byelaws made by any sanitary authority under section forty-one of the Public Health (Ireland) Act, 1878, as amended by any subsequent enactment with respect to new buildings and new streets, and any enactments in any local Acts dealing with construction of new buildings and the laying out and construction of new streets, and any byelaws made with respect to such matters under any such local Act;

The expression "Housing Acts" means the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, and this Act so far as it amends those Acts.

PART II.

ACQUISITION OF SMALL DWELLINGS.

31. The following amendments shall be made in the Small Dwellings Acquisition Act, 1899:—

Amendment
of 62 & 63
Vict. c. 44.

In subsection (1) of section one, eight hundred pounds shall be substituted for four hundred pounds as the limit on the market value of houses in respect of which advances may be made; ninety per centum shall be substituted for four-fifths with respect to the limitation on the amount which may be advanced; and paragraph (b) shall be repealed.

In subsection (2) of the said section one, fifty years shall be substituted for thirty years.

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PART III.

GENERAL.

Commence-
ment and
extent of
Act.

32. This Act shall save as otherwise expressly provided come into operation on the passing thereof, and shall extend to Ireland only. 5

Short title
and citation.

33.—(1) This Act may be cited as the Housing (Ireland) Act, 1919, and the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, and this Act, so far as it amends those Acts, may be cited collectively as the Housing of the Working Classes (Ireland) Acts, 1890 to 1919. 10

(2) The Small Dwellings Acquisition Act, 1899, and Part II. of this Act may be cited together as the Small Dwellings Acquisition (Ireland) Acts, 1899 and 1919.

SCHEDULES.

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FIRST SCHEDULE.

RULES FOR DETERMINING THE AMOUNT OF REDUCTION OF
COMPENSATION.

(a) The value of the whole of the land included in the scheme shall first be ascertained on the basis of its value as a cleared site available for development in accordance with the requirements of the building byelaws in force in the district.

(b) The value of the whole of the said land shall next be ascertained on the basis of its value as a cleared site, subject to the requirements of the scheme as to the provision to be made for the rehousing of persons of the working classes, or the laying out of open spaces on the land or any part thereof.

(c) The difference between the amounts ascertained under paragraph (a) and paragraph (b) shall then be computed.

(d) The amount by which the compensation payable for the respective interests in the land to which section six of this Act applies, as ascertained in accordance with the principle laid down in that section is to be reduced, shall be a fraction thereof equal to the amount arrived at under paragraph (c) when divided by the amount arrived at under paragraph (a).

SECOND SCHEDULE.

ENGLISH ENACTMENTS CAPABLE OF BEING APPLIED
TO IRELAND.

Session and Chapter.	Short Title.	Enactments capable of being applied.
3 Edw. 7. c. 39.	<i>Housing of the Working Classes Act, 1903.</i>	Sections three, seven, and ten to thirteen.
9 Edw. 7. c. 44.	<i>Housing, Town Planning, &c., Act, 1909.</i>	Subsection (3) of section two, sections five to seven, fourteen to twenty-nine, thirty-six to fifty-one, sections fifty-four to sixty-five, and the Second Schedule, and (so far as consequential on any other enactment applied), section seventy-five and the Sixth Schedule. Any enactment amending any of the foregoing enactments and for the time being in force.

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THIRD SCHEDULE.

AMENDMENTS AS TO PROCEDURE UNDER PART I. AND
PART II. OF THE ACT OF 1890, AND MINOR
AMENDMENTS OF THAT ACT.

Enactment to be amended.	Nature of Amendment	5
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70): s. 5 (2)	For the words "two or more justices" there shall be substituted the words "any justice," and for the word "twelve" there shall be substituted the word "six."	10
s. 6 (3)	For the words "the person entitled to the first estate of freehold in any property comprised in the scheme or with the concurrence of such person" there shall be substituted the words "any person having such interest in any property comprised in the scheme as may be sufficient to enable him to carry out and effect the same."	15
s. 7	After the words "the local authority shall" the word "forthwith" shall be inserted.	20
s. 8 (5)	For the word "copy" there shall be substituted the word "notice."	
s. 12 (1)	At end there shall be inserted the words "provided that the local authority shall not be required to acquire any leasehold interest in any property comprised in a scheme which can be allowed to expire without unduly delaying the execution of the scheme."	25
s. 12 (6)	For the words "the person entitled to the first estate of freehold in any land comprised in an improvement scheme" there shall be substituted the words "any person having such interest in any land comprised in an improvement scheme as may be sufficient to enable him to carry out and effect the same."	30
s. 14	The whole section shall be omitted.	
s. 16 (1)	For the words "twelve or more ratepayers have complained," there shall be substituted the words "complaint has been made," and after the word "district," there shall be inserted the words "by any person or persons competent under the foregoing provisions of this Part of this Act to make such complaint," and for the word "ratepayers," there shall be substituted the words "complainant or complainants, as the case may be."	35
	For the words from "and upon," to "the confirming authority shall," there shall be substituted the words "and the confirming authority may."	45
s. 31 (1)	For the words "in any district any four or more householders living in or near to any street," there shall be substituted the words "any justice of the peace acting in a district, or any four or more householders in a district," and the words "in or near that street" shall be omitted.	50

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890, (53 & 54 Vict. c. 70) :	
5 s. 31 (2)	Before the word "householders," there shall be inserted the words "justice of the peace, or."
s. 38 (2)	Before the words "any four or more inhabitant householders of," there shall be inserted the words "any justice of the peace acting in a district, or."
10 s. 93	After the words "right over land," there shall be added the words "any land covered with water, any water" and any right to take or convey water."
Second Schedule—	
15 Paragraph (1) -	For the words "as soon as practicable after the passing" of the confirming Act," there shall be substituted the words "before making an application for the appointment of an arbitrator as hereinafter mentioned."
Paragraph (9) -	The words "(subject to the provisions concerning an appeal hereinafter contained)" shall be omitted.
20 Paragraph (10) -	The words "once in each of three consecutive weeks" and the word "last" shall be omitted.
Paragraph (12) -	The words from "The local authority, or any person interested" to the end of the paragraph shall be omitted.
25 Paragraphs (26) and (27).	These paragraphs shall be omitted.
Paragraph (29) (1) (c).	For the words "before the appointment of the arbitrator" there shall be substituted the words "not less than" fourteen days before the date of the arbitration in "that particular case."
30 Paragraph (30) -	After the word "documents" there shall be inserted the words "other than any formal offer made by the local authority."
Paragraph (32) -	Substitute "a" for "some one and the same."